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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
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17 STEVE SHAPIRO and STEVE SHAPIRO
MUSIC
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19 Plaintiffs,
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21 v.
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23 JUPITERIMAGES CORPORATION
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25 Defendant.
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CASE NO. 3:07-CV-5540 PJH
JUPITERIMAGES CORPORATION'S
ADMINISTRATIVE MOTION TO SEAL ONE
DOCUMENT

1 PLEASE TAKE NOTICE THAT Defendant Jupitermedia Corporation ("defendant")
2 hereby moves for an order permitting the filing under seal one document attached to the Notice of
3 Removal, pursuant to Local Rule 79-5.

4

5 ARGUMENT

6 Civil L. R. paragraphs 79-5(b) and (d) provide that a party may request by motion, in
7 conformance with Civil L. R. 7-11, an order authorizing the sealing of part or all of a document
8 which is to be filed with the Court. The Rule provides the Court may issue a sealing order where
9 the information to be sealed is "privileged or protectable as a trade secret or otherwise entitled to
10 protection under the law." The Rule further provides that "[t]he request must be narrowly tailored
11 to seek sealing only of sealable material..." Civil L.R. 79-5(a).

12 Jupiterimages moves to file under seal certain portions of Asset Purchase Agreement
13 ("Agreement") that was attached as an exhibit to the state court Complaint. The Agreement
14 explicitly states that its terms are confidential and may not be disclosed without Jupiterimages's
15 written consent (and there was no such consent).

16 Certain information in such Agreement is confidential and proprietary business
17 information and should not be in public federal court records, which can be easily accessed by
18 anyone -- including competitors and other parties that may enter into business relationships with
19 Jupiterimages -- through the PACER system. Filing these pages of the Agreement under seal is
20 necessary to protect Jupiterimages's confidential and proprietary information. See Eisenberg Decl.
21 5-7.

22 Jupiterimages redacted these confidential and proprietary portions of the Agreement
23 and has enclosed unredacted portions as provided under the Local Rules.

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25 This motion is unopposed. Plaintiff stipulates to the filing under seal. See
26 Stipulation, filed concurrently.

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2 CONCLUSION

3 Based on the foregoing, Jupiterimages respectfully requests that the Court issue an
4 order, pursuant to Civil Local Rule 79-5(b), permitting Jupiterimages to file the unredacted pages of
5 the Agreement, submitted as Exhibit A to the instant motion, under seal.

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7 DATED: October 31, 2007

JEFFER, MANGELS, BUTLER & MARMARO LLP
JEFFREY K. RIFFER

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By: --S-- JEFFREY K. RIFFER
JEFFREY K. RIFFER
Attorneys for Defendant JUPITERIMAGES CORP.

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JMBM
Jeffrey Mangels
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